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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

Gladys Noemi VOCAL-Chavez,

Defendant(s)

Magistrate Case No. 08 MJ 0350

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIACOMPLAINT FOR VIOLATION OF:

BY: *[Signature]* DEPUTY  
Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)  
Transportation of Illegal  
Aliens

The undersigned complainant, being duly sworn, states:

On or about **February 5, 2008**, within the Southern District of California, defendant **Gladys Noemi VOCAL-Chavez** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Juan De Dios BALANZAR-Loeza, Gudalupe QUEZADA-Lara, and Sonia HERNANDEZ-Toribio** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

*[Signature]*  
\_\_\_\_\_  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7<sup>th</sup> DAY OF FEBRUARY 2008

*[Signature]*  
\_\_\_\_\_  
Ruben B. Brooks  
UNITED STATES MAGISTRATE JUDGE

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### PROBABLE CAUSE STATEMENT

The complainant states that **Juan De Dios BALANZAR-Loeza, Guadalupe QUEZADA-Lara, and Sonia HERNANDEZ-Toribio** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 5, 2008, Border Patrol Agent W. Hatfield was assigned duties as primary inspecting agent at the Campo Border Patrol Station's Interstate 8 Westbound Checkpoint. The checkpoint was fully operational with all lights, signs, and cones in place. Agent Hatfield was in full official Border Patrol uniform. While inspecting traffic Agent Hatfield noticed a sedan approaching at a high rate of speed. There was no traffic between the approaching sedan and primary inspection area. The vehicle showed no signs of slowing down to stop at the posted stop sign and red light. Agent Hatfield put his hand out and shouted at the vehicle to slow down and stop. The vehicle continued through the primary inspection area without doing so. Agent Hatfield was able to get a good look at the driver as she drove through the inspection area. Agent Hatfield then shouted to the agent responsible for deploying the Controlled Tire Deflation Device (CTDD) that deployment was necessary. Border Patrol Agent E. Panuelas deployed the CTDD successfully and the vehicle pulled off onto the shoulder of the Interstate. Agent Hatfield got into a marked Border Patrol sedan and quickly pulled in behind the vehicle, a white Audi 80. Agent Hatfield approached the Audi opened the driver side front door and identified himself as a United States Border Patrol Agent. Agent Hatfield was able to identify the female in the driver seat, later identified as defendant **Gladys Noemi VOCAL-Chavez**.

Agent Hatfield took the defendant into custody immediately and could see a front seat passenger and several others crammed into each other in the back seat. Agent Hatfield was joined by Supervisory Border Patrol Agent B. Million. Agent Hatfield secured the defendant in the back of his Border Patrol vehicle. Agents Million and Hatfield had the occupants exit the Audi. Six people exited from the passenger compartment and another two were found in the trunk of the car. Agent Hatfield asked each of the eight separately as to their citizenship. All admitted to being citizens of Mexico present in the United States without proper documentation to work, reside, or remain in the United States legally. All eight were taken into custody and transported to the Campo, California Border Patrol Station for processing.

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**DEFENDANT STATEMENT:**

The defendant was advised of her Miranda Rights and indicated that she understood her rights and did not ask for an attorney before providing the Agents with a statement. The defendant stated that she is a U.S. Citizen.

The defendant told agents that she made arrangements at approximately 5:00 pm with two male acquaintances to smuggle a group of illegal aliens to El Cajon, California. The defendant stated she doesn't know who the registered owner of the vehicle is. The defendant she was going to be paid \$200.00 to \$250.00 per smuggled alien. When asked the defendant, stated that she knew the people she picked up were illegal aliens.

Agent Hatfield asked the defendant how she knew where to stop and how the aliens got into the car. The defendant said she had a phone communications that directed her to the spot. Once there she stopped and the aliens got into the vehicle. Agent Hatfield asked the defendant why she didn't stop and ran the checkpoint. The defendant said she was scared of being caught.

**MATERIAL WITNESSES STATEMENTS:**

Material witnesses **Juan De Dios BALANZAR-Loeza, Guadalupe QUEZADA-Lara, and Sonia HERNANDEZ-Toribio** agree in summary that they are citizens and nationals of Mexico illegally present in the United States. They admit to entering the United States illegally. **BALANZAR-Loeza and HERNANDEZ-Toribio** stated that they were to pay \$2,000.00 (US) to be smuggled into the United States. **QUEZADA-Lara** stated that a family member made the arrangements for her to be smuggled into the United States. All Material witnesses were shown a photographic line up and were able to identify the defendant **Gladys Noemi VOCAL-Chavez** as the driver of the vehicle.